

A violation of such assurance shall constitute prima facie proof of a violation of this act: *Provided*, That after commencement of any action by a prosecuting attorney, as provided herein, the attorney general may not accept an assurance of discontinuance without the consent of the prosecuting attorney.

SEC. 5. If any provision of this act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby. Severability.

Passed the Senate March 7, 1961.

Passed the House March 6, 1961.

Approved by the Governor March 20, 1961.

CHAPTER 190.

[S. B. 86.]

TIDELANDS IN SKAGIT, SNOHOMISH, ISLAND COUNTIES.

AN ACT relating to public lands; authorizing the withdrawal of described tidelands from sale, and from lease except for specific purposes; authorizing the use of said tidelands as public shooting grounds to be administered by the state game commission; and amending section 77.40.090, chapter 36, Laws of 1955, and RCW 77.40.090.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 77.40.090, chapter 36, Laws of 1955, and RCW 77.40.090 are each amended to read as follows: RCW 77.40.090 amended.

The commissioner of public lands shall withdraw from sale or lease, except lease for the production of oysters or for booming or industrial uses: *Provided*, That the director of game has approved such industrial uses as not being generally incompatible with the primary function of these lands as public Public shooting grounds. Certain tidelands in Skagit, Snohomish and Island counties.

shooting grounds, the following described second class tidelands and detached tidelands within the boundaries hereinafter set forth: Those tidelands situate in front of, adjacent to, or abutting upon: government lots 3, 4 and 5, section 28 and government lot 1, section 27 and government lots 1, 2, 3 and 4, section 34, township 35 north, range 2 east, W.M., and government lots 1, 2 and 3, section 3, township 34 north, range 2 east, W.M., excepting therefrom the portion deeded by the state of Washington to the Great Northern Railway Company on December 30, 1941.

The commissioner of public lands shall withdraw from sale or lease, except lease for the production of oysters or for booming purposes, the following described second class tidelands and detached tidelands within the boundaries hereinafter set forth:

Those tidelands other than tidelands described above in this section lying within an area beginning at a point on the meander line at the Skagit-Whatcom line, thence following the meander line in its general southerly direction to the north boundary of the Swinomish Indian Reservation, thence westerly along the north line of said Indian reservation to the base of Marches Point, thence northerly along the meander line to the north meander corner on the west line of section 28, township 35 north, range 2 E., W. M., thence north to the Whatcom county line, thence easterly along said county line to the point of beginning.

Also, all tidelands of the second class, including detached tidelands in Skagit county lying south of the main channel of the Swinomish Slough.

Also, those tidelands in Snohomish and Island counties located in township 32 north, range 3 E., W. M.

Also, those tidelands lying in front of sections 1, 2 and 11 and 12, township 31 north, range 3 E., W. M., in Snohomish county.

All the tidelands described in this section shall be available for use as public shooting grounds under the direction and control of the state game commission.

Passed the Senate March 7, 1961.

Passed the House March 6, 1961.

Approved by the Governor March 20, 1961.

CHAPTER 191.

[S. B. 94.]

POLICE RELIEF AND PENSIONS IN FIRST CLASS CITIES.

AN Act relating to municipal corporations; and to the police relief and pension fund in cities of the first class; amending section 4, chapter 39, Laws of 1909 as last amended by section 3, chapter 78, Laws of 1959, and RCW 41.20.050; amending section 5, chapter 39, Laws of 1909 as last amended by section 4, chapter 78, Laws of 1959, and RCW 41.20.060; and amending section 7, chapter 39, Laws of 1909 as last amended by section 5, chapter 78, Laws of 1959, and RCW 41.20.080; and amending section 13, chapter 39, Laws of 1909 as last amended by section 7, chapter 78, Laws of 1959, and RCW 41.20.120.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 4, chapter 39, Laws of 1909 as last amended by section 3, chapter 78, Laws of 1959, and RCW 41.20.050 are each amended to read as follows:

Whenever a person has been duly appointed, and has served honorably for a period of twenty-five years or more, as a member, in any capacity, of the regularly constituted police department of a city subject to the provisions of this chapter, the board, after hearing, if one is requested in writing, may order and direct that such person be retired, and the board shall retire any member so entitled, upon his written request therefor. The member so retired hereafter shall be paid from the fund dur-

RCW 41.20.050
amended.

Police
pensions,
first class
cities.
Pension on
retirement
for years of
service.